IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 985 of 2006

Between:

M.K. Rayudu

..... PETITIONER

AND

The Circle Inspector of Police,

II Town Police Station, Anantapur and 2 others

.....RESPONDENTS

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ORDER:

Seeking a Mandamus, declaring the action of the respondents in interfering with the civil dispute and harassing the petitioner, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

It is stated that the petitioner has not borrowed any amount from the 3rd respondent, but at the instance of the 3rd respondent, the 1st respondent is illegally interfering with the civil disputes, though the petitioner is not due and payable any amount to the 3rd respondent. It is further stated that even if the petitioner is due and payable any amount to the 3rd respondent, it cannot constitute any criminal offence. However, without there being any report/complaint alleging that the petitioner has committed a cognizable offence, the officer incharge of the police station cannot interfere with the civil disputes.

Having regard to the facts and circumstances of the case, the

1st respondent is directed not to interfere with the civil disputes unless and until a report/complaint is filed against the petitioner alleging that the petitioner has committed a cognizable offence and the same is registered.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 17.01.2006

Dsr

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Note:

Issue CC in two days

B/o

Dsr